

CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
CENTRAL VALLEY REGION

11020 Sun Center Drive, #200, Rancho Cordova, California 95670-6114

PUBLIC HEARING

concerning

Consideration of an Administrative Civil Liability
for

VIRGINIA L. DRAKE, TRUSTEE, DRAKE REVOCABLE TRUST
HUMBOLDT ROAD BURN DUMP AREA 7, APN 011-780-018
AND
HUMBOLDT ROAD BURN DUMP AREA 8, APN 011-780-014
BUTTE COUNTY

Virginia L. Drake, Trustee, Drake Revocable Trust (hereafter Discharger), James E. Simmons, and the Simmons Family Trust own two parcels in the area known as the Humboldt Road Burn Dump in the City of Chico. These parcels contain lead and other waste constituents that at some locations exceed hazardous waste levels. The waste constituents pose a threat to human health and the environment, including waters of the state. The Central Valley Regional Water Quality Control Board (Regional Board) ordered the Discharger and other persons to cleanup these parcels by the end of the summer 2005. The cleanup has not occurred. The Regional Board Executive Officer issued the Discharger two complaints for Administrative Civil Liability for failing to submit required reports and for failing to cleanup the parcels – one complaint for \$100,000 for the parcel known as Area 7 and the other for \$125,000 for Area 8.

A public hearing concerning this matter will be held during the Regional Board meeting, which is scheduled for:

DATE: 28 and/or 29 November 2005
TIME: 8:30 AM
PLACE: CV-RWQCB Board Room
11020 Sun Center Drive, #200
Rancho Cordova, CA 95670

The designated parties for this hearing are as follows:

- Staff of Central Valley Regional Board
- Virginia L. Drake, Trustee, Drake Revocable Trust
- James E. Simmons
- Darwin H. Simmons and Nina R. Simmons, Simmons Family Trust
- City of Chico

Only designated parties will have these rights: to call and examine witnesses; to introduce exhibits; to cross-examine opposing witnesses; to impeach any witness; and to rebut the evidence against him or her. All other persons wishing to testify or provide comments are interested persons and not designated parties.

Designated parties must submit evidence and written comments and interested persons must submit written comments on the tentative Administrative Civil Liability Orders by **21 November 2005** to Mr. James C. Pedri, Central Valley Regional Board, 415 Knollcrest Drive, Suite 100, Redding, CA 96002.

All designated parties and interested persons may speak at the Regional Board meeting, and are expected to orally summarize their written submittals. Oral testimony and cross examination will be limited in time by the Board Chair.

Anyone having questions on the Administrative Civil Liability should contact Mr. James C. Pedri at (530) 224-4845. Interested parties may download the proposed Orders and related documents from the Regional Board's Internet website at <http://www.waterboards.ca.gov/centralvalley/tentative/>. Copies of these documents can also be obtained by contacting or visiting the Regional Board's Redding office at 415 Knollcrest Drive, Suite 100, Redding, California, 96002, weekdays between 8:00 a.m. and 5:00 p.m.

The procedures governing Regional Board meetings may be found at Title 23, California Code of Regulations, Section 647 et seq. and is available upon request. Hearings before the Regional Water Board are not conducted pursuant to Government Code section 11500 et seq. The procedures may be obtained by accessing http://www.waterboards.ca.gov/water_laws/. Information on meeting and hearing procedures is also available on the Regional Board's website at http://www.waterboards.ca.gov/centralvalley/board_meetings/mtgprocd.html or by contacting any one of the Regional Board's offices. Questions regarding such procedures should be directed to Ms. Janice Tanaka at (916) 464-4839. **The exact date and location will be provided in the agenda that will be available 10 days prior to the meeting.**

The hearing facilities will be accessible to persons with disabilities. Individuals requiring special accommodations are requested to contact Ms. Janice Tanaka at (916) 464-4839 at least 5 working days prior to the meeting. TTY users may contact the California Relay Service at 1-800-735-2929 or voice line at 1-800-735-2922.

Please bring the above information to the attention of anyone you know who would be interested in this matter.

JAMES C. PEDRI, Assistant Executive Officer

4 November 2005
KLC: sae